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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 26, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

AGUSTIN PADILLA JR., ENEDINO
PADILLA-MONTERO, and ANTONIO
SANCHEZ,

Defendants.

Nos. 4:23-CR-06026-SAB-2
4:23-CR-06026-SAB-3
4:23-CR-06026-SAB-4

**ORDER GRANTING UNITED
STATES' MOTION FOR A
PROTECTIVE ORDER;
MOTION TO DISCLOSE**

Before the Court are the United States' Motion for Protective Order, ECF No. 59; related Motion to Expedite, ECF No. 60; Unopposed Motion [to] Disclose to Defense Counsel But Not Unseal, ECF No. 61, and related Motion to Expedite, ECF No. 62. The motions were heard without oral argument. Defendant Agustin Padilla, Jr. is represented by Scott Johnson and Mitchell Crook. Defendant Enedino Padilla-Montero is represented by Ricardo Hernandez. Defendant Antonio Sanchez is represented by Nicholsas Marchi. The United States is represented by Laurel Holland.

The United States asks the Court to issue a Protective Order that covers the dissemination of all discovery. It also asks leave to provide defense counsel certain documents while those documents remain under seal for all other purposes. The United States indicates that counsel for Defendants do not oppose its motions.

**ORDER GRANTING UNITED STATES' MOTION FOR A
PROTECTIVE ORDER; MOTION TO DISCLOSE ~ 1**

1 Good cause exists to grant the motions.

2 Accordingly, **IT IS HEREBY ORDERED:**

3 1. The United States' Motion for Protective Order, ECF No. 59, and related
4 Motion to Expedite, ECF No. 60, are **GRANTED**.

5 2. The United States' Unopposed Motion [to] Disclose to Defense Counsel
6 But Not Unseal, ECF No. 61, and related Motion to Expedite, ECF No. 62, are
7 **GRANTED**.

8 3. All documents filed in the following case numbers:

- 9 a) No. 1-23-MJ-07127
- 10 b) No. 1-23-MJ-07126
- 11 c) No. 1-23-MJ-07128
- 12 d) No. 1-23-MJ-07142
- 13 e) No. 1-23-MJ-07143
- 14 f) No. 1-23-MJ-07144

15 may be disclosed to pertinent defense counsel, but not for any further public
16 dissemination, unless otherwise ordered by this Court. Counsel for both parties
17 may reference the existence of the sealed documents during any hearing in this
18 matter.

19 4. The Court enters the following Protective Order:

- 20 1. The United States will provide discovery materials on an on-going basis
21 to defense counsel;
- 22 2. Discovery materials that contain the voice or image of a confidential
23 source will be made available for defense counsels' review at the United
24 States Attorney's Office. Until further Order of the Court, those materials
25 may not be shown to the Defendants or left in a Defendants' custody
26 however, counsel may discuss the content(s) of those materials with their
27 client;

28 **ORDER GRANTING UNITED STATES' MOTION FOR A
PROTECTIVE ORDER; MOTION TO DISCLOSE ~ 2**

- 1 3. Defense counsel may possess but not copy (excluding the production of
2 necessary working copies) all discovery materials that do not contain the
3 voice or image of a confidential source, including sealed documents;
- 4 4. Defense counsel may show to, and discuss with the Defendants, all
5 discovery materials that do not contain the voice or image of a confidential
6 source, including sealed documents;
- 7 5. Defense counsel shall not provide original or copies of discovery
8 materials to the Defendants;
- 9 6. Defense counsel shall not otherwise provide original or copies of the
10 discovery material to any other person, including subsequently appointed or
11 retained defense counsel, but excluding any staff of defense counsel or
12 investigator and/or expert engaged by defense counsel, who will also be
13 bound by the terms and conditions of the Protective Order;
- 14 7. The United States, defense counsel, and witnesses may reference the
15 existence and content of sealed discovery material in open and closed court
16 proceedings relevant to 4:23-CR-6027-SAB; provided however, any written
17 reference to the content of the protected discovery shall be filed under seal.

18 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
19 and forward copies to counsel.

20 **DATED** this 26th day of October 2023.



24 Stanley A. Bastian
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26 Stanley A. Bastian
27 Chief United States District Judge
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